S.B.CRIMINAL LEAVE TO APPEAL NO. 76/2007

(Achal Singh Vs. State of Rajasthan & Anr.)

Date of order : 25/07/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. N.A.Rajpurohit for the appellant.
Mr. V.R.Mehta, P.P.

Learned counsel for the appellant has filed an application being S.B.Cr.Misc. Application No.326/07 u/s 391 Cr.P.C. annexing therewith a communication dated 4.4.2007 issued by the State Bank of India, Pali, Marwar Branch stating therein that cheque No. 034323 for a sum of Rs. 50,000/- was dishonoured on 15.6.03 for insufficient fund in the account, but in the returning memo inadvertently instead of Cheque No.034323, the cheque No.034233 has been mentioned. Learned counsel for the appellant submits that the document may be taken on record under Section 391 Cr.P.C.

Having regard to the facts and circumstances of the case, the document is taken on record. The application is disposed of.

Heard learned counsel for the appellant and perused the judgment and order impugned. I have also carefully gone through the communication dated 4.4.2007.

Having considered the totality of facts and circumstances

of the case, I think it a fit case to grant leave to appeal to this Court.

Accordingly, the leave to appeal to this Court is granted. The memo of leave to appeal be treated as memo of appeal. Let the appeal be registered on regular number. Appeal is admitted. Accused respondent Babu Lal @ Babu Das S/o Pokhar Das be summoned by bailable warrant of Rs.5000/- for his appearance before this Court on 24/8/2007 and as and when called upon to do so.

(H.R.PANWAR),J.

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